

TAB H

September 26, 2003

TO: Ken Coleman and Mike Jones

FROM: Michael Killian
[Signature]

RE: United Freight Grievance

I am concerned that the hire hall issues with UFAT will not be resolved unless we take this most recent instance seriously.

On 09-18-03 just prior to 3:00 p.m. call Dana Adams called to fill two driver jobs. He ask me to send five people. I had a discussion with him and told him if he had two openings I will only send two referrals. If at any point they decided not to hire either one I would send another. Dana told me he was just following instructions from his boss.

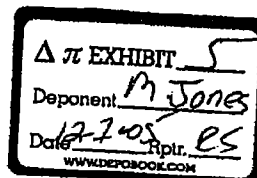
On 09-19-03 I called to check the status just before 10:00 a.m. call. I was told they were not hiring one of the referrals from the day before, reason being, one did not have the correct Haz Mat certification.

10:00 a.m. call I dispatched Gary Dixon. Just after call I talked to Dana Adams to let him know another referral will be over. Dana told me the second referral from the day before failed his driving test. I told him we would dispatch another at 3:00 p.m. to report on Monday. Dana reiterated the need for me to send more than one per his boss. I ask him to forward my call to his boss but the call could not take place per an office assistant as the manager was in a meeting. I left a message to notify that I would be calling first thing Monday. At 3:00 p.m. call I dispatched Shotsay Breaux.

Monday 09-22-03 I called the manager Frank ??? to discuss my concerns regarding the call inquiries from Dana Adams. I explained my obligations in the hire hall and our rules. I informed Frank I would only assure that there would be drivers available to consider one at a time or as many drivers needed for vacancies but I would not send additional drivers for them to select from. I made it clear that the employer had to decline to hire before they would get additional drivers to consider. Frank ask me how many drivers did Dana ask to fill, I told him Dana told me there was two openings. Frank told me to raise it to three. He stated that the company intended to hire three drivers.

At 10:00 a.m. call I dispatched Daniel Tullis to fill the third opening. At this time I called over to let them know another referral would be reporting and I ask them what the status of Dixon and Breaux was. I was told by an office assistant that Frank was busy but she understood that Dixon will be hired but the hiring process for Breaux had not been completed.

September 23, 2003 I called Frank ??? at UFAT to follow up on the status of hiring. I was told that they were going to hire Dixon, they were not going to hire Breaux because she did not have enough experience and they were considering Tullis but would not make a final decision



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immediately but some time during the next two days to two weeks. Frank ask me once again to send more drivers to select from and explained to me what his concerns were from a managers point of view. I again reiterated my position. I did not agree to send another driver to fill for the Breaux situation. Instead I contacted Mike Jones and John Snyder.

After meeting with Mike, Ken, and talking to John on the telephone we agreed someone needed to talk to Frank to see what was going on. If necessary a grievance would be filed.

Mike Jones reported back to me that Frank had told Bob Thornton that Breaux had failed her driving test.

According to Breaux she was told that her driving was acceptable and she would be recommended.

Mike met with Frank and others and evidently Frank told Mike on Wednesday that only one driver would be hired.

I drafted a grievance which Mike had in hand. His decision was to not present the grievance because of the statement Frank made regarding only one driver being hired.

I strongly recommend that the grievance be filed, discussed and held in abeyance until the next position is filled at UFAT and I contend that Breaux should be the next driver hired.

The grievance has been prepared, it is generic to two complaints and in conjunction with this memo and the job call sheet we have grounds to argue the intent was to hire more than one driver. Breaux is more than qualified and in fact will drive circles around most drivers. I truly believe the employer is reluctant to hire a female driver. Currently they do not have any female drivers.

Please strongly consider my advise.

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